

In The United States District Court
for The District of Delaware

JAMES HALL,
Plaintiff
v.

DAVID HOLMAN ET AL,

Defendants,

C.A. # 04-1328-GMS



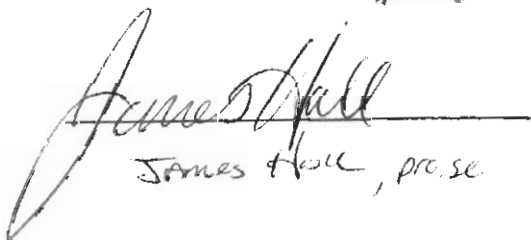
Affidavit in Support of the Plaintiff's Motion for the
Appointment of Counsel

JAMES HALL, being duly sworn, deposes and says:

1. I am the plaintiff in the above entitled case. I make this Affidavit in support of my motion for the appointment of counsel.
2. The complaint in this case alleges that the plaintiff was subjected to cruel and unusual punishment by several top level correctional officials, whom directly participated in the deprivation of plaintiff's clearly established constitutional rights (i.e., to be free from assault of a fellow inmate). The defendants forced to intervene. It alleges that supervisory officials were aware of the violent propensities of plaintiff inmate and that defendants are liable for failing to take action despite their knowledge of this substantial risk of harm for failing to take reasonable measures to abate it. It also demonstrates that plaintiff was assaulted as a result of prison policy/practices.

3. This is a complex case because it contains several different legal claims.
4. The case involves future to protect issues that may require expert testimony. To the degree to which the case may turn on credibility determinations.
5. The case will require discovery of documents and deposition of a number of witnesses.
6. The Testimony will be in sharp conflict, since the plaintiff alleges that the Defendants policy caused him to be assaulted.
7. The plaintiff has only a high school education and has no legal education.
8. As set forth in the memorandum of law submitted with this motion, these facts, along with the legal merit of the plaintiffs claims, support the appointment of counsel to represent the plaintiff.

Wherefore, The plaintiffs motion for the appointment of counsel should be granted.


James Hall, pro se.

Sworn to before me this
26 day of October, 2005

Certificate of Service

I, James Hall, hereby certify that I have served a true and correct cop(ies) of the attached: (2) AFFIDAVIT in support of the
Plaintiff's motion for the Appointment of counsel upon the following parties/person (s):

TO: Mrs Lisa Barchi
Deputy Attorney General
820 N. French Street, 6th Floor
Wilmington, DE 19801

TO: _____

TO: _____

TO: _____

BY PLACING SAME IN A SEALED ENVELOPE and depositing same in the United States Mail at the Delaware Correctional Center, Smyrna, DE 19977.

On this 26 day of October, 2005

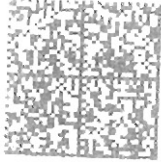
James Hall

IM James Hall
SBI# 167581 UNIT W-C-9

DELAWARE CORRECTIONAL CENTER

1181 PADDOCK ROAD

SMYRNA, DELAWARE 19977



Office of the Clerk
United States District Court
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Wilmington, De
19801